

TOWN OF MERRILLVILLE  
TOWN COUNCIL MEETING  
October 13, 2015

**CALL TO ORDER:** 6:30 p.m.

**INVOCATION:** Captain Jennifer Clanton – Salvation Army

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mrs. Miano, Mr. Widing, and President Goralczyk were absent. All other members were present. Vice President, Mr. Pettit presided over the meeting in President Goralczyk absence.

**PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:**

Mr. Hardaway acknowledged that the month of October is Breast Cancer Awareness. The Making Strides Against Breast Cancer walk will be held on Sunday, October 11, 2015 at Hidden Lake Park.

**CONSENT AGENDA:**

Approval of the Accounts Payable Register Voucher dated October 13, 2015. Approval of Town Council Meeting Minutes of September 22, 2015. Mr. Hardaway made a motion to approve and was seconded by Mrs. Barron. There was no discussion. The motion was approved by a unanimous voice vote.

**STANDING COMMITTEES:**

**BUDGET & FINANCE:** Mr. Pettit had no report.

**PUBLIC WORKS:**

A discussion took place regarding the Mesa Ridge subdivision paving project. A request was made to waive the issuance of a two year maintenance bond per the subdivision control ordinance for Mesa Ridge. Also, there is a request for the Mesa Ridge owners to come in and file the appropriate developmental variance with the Board of Zoning Appeals. Mr. Spann made a motion to approve both requests. The motion was seconded by Mr. Hardaway. There was no further discussion. The motion was approved by a unanimous voice vote.

Mr. Hardaway requested contact information for Waste Management. He discussed an issue with garbage pickup on the 5300 block of Pierce related to the road project taking place in this area. Mr. Hardaway is pursuing this matter.

**COUNCIL AFFAIRS:** Mrs. Miano was absent, no report.

**PERSONNEL POLICY & EMPLOYEE BENEFITS:**

A discussion took place regarding the appointment of a new Fire Inspector. The council recommended that Tom Stevens be appointed to this position starting November 1, 2015. Mr. Hardaway made a motion to accept the council's recommendation and that effective immediately any fire inspection will be performed by the Fire Department until start date of Mr. Stevens. The Fire Inspector position will now be under the direct supervision of the Fire Chief. The motion was seconded by Mr. Spann. There was further discussion regarding the communication and proper administrative procedures for informing the current inspector of council's decision. The motion was approved by a unanimous voice vote.

**PUBLIC SAFETY:**

Chief Petruch mentioned that the dispatch centers are being switched around on October 13, 2015. He anticipates that this transition should go smoothly.

**PARKS & RECREATION:** Mrs. Miano was absent, no report.

**ENVIRONMENTAL AFFAIRS:**

President Goralczyk was absent. Mr. Lake discussed the memorandum of understanding between and Town of Merrillville Stormwater Utility and Indiana American Water. Mr. Hardaway made a motion to approve the agreement and was seconded by Mrs. Barron. There was no discussion. The motion was approved by a unanimous voice vote.

**ELECTIONS & PUBLIC RELATIONS:**

Mrs. Miano was absent, no report. Mr. Pettit stated that the Annual Crossroads Regional Chamber Gala will be held on November 21, 2015 at 6:00 p.m. Mr. Hardaway mentioned there will be a Veteran's Day program on November 11, 2015 at Memorial Park if weather permits, if not it will be held at Town Hall. Mr. Pettit provided updates on the major road projects happening around town.

**ECONOMIC DEVELOPMENT:** Mr. Pettit had no report.

**UTILITY LIAISON:** Mrs. Barron had no report.

**ABANDONED PROPERTIES:**

Mr. Hardaway stated the next Abandoned Blighted Properties Committee meeting will take place on October 14, 2015 at 11:00 a.m.

**GENERAL ORDERS:**

**FIRST READING ORDINANCES:**

**Ord 15-26:** An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the Fire and Hazmat Fund of the Town of Merrillville, Lake County, Indiana, for the year 2015 not included in the current budget. Mr. Spann made a motion to approve the ordinance and was seconded by Mr. Hardaway. There was no discussion. The motion carried by a 4-0 roll call vote.

**Ord 15-27:** An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the Merrillville Fire Territory Operating Fund, of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mr. Spann made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no discussion. The motion carried by a 4-0 roll call vote.

**Ord 15-28:** An Ordinance of the Town of Merrillville, Lake County, Indiana, adopting the floodplain management regulations for the Town of Merrillville. Mrs. Barron made a motion to approve the ordinance and was seconded by Mr. Spann. There was no discussion. The motion carried by a 4-0 roll call vote.

**SECOND READING ORDINANCES:**

**Ord. 15-23:** An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the Police Donation fund of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mrs. Barron made a motion to approve the ordinance and was seconded by Mr. Spann. There was no discussion or public comment. The motion carried by a 4-0 roll call vote.

**Ord. 15-24:** Be it ordained /resolved by the Town of Merrillville that for the expenses of MERRILLVILLE CIVIL TOWN for the year ending December 31, 2016 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of MERRILLVILLE CIVIL TOWN, the properly tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance. This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Town of Merrillville. Mrs. Barron made a motion to approve the ordinance and was seconded by Mr. Spann. There was no discussion or public comment. The motion carried by a 4-0 roll call vote.

**Ord. 15-25:** An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the Police Equipment fund of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mr. Spann made a motion to approve the ordinance and was seconded by Mr. Hardaway. There was no discussion or public comment. The motion carried by a 4-0 roll call vote.

**RESOLUTIONS:**

**Res 15-33:** A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies of the 2015 budget within the Town Court Fund. Mrs. Barron made a motion to approve the resolution and was seconded by Mr. Spann. There was no discussion. The motion was approved by a unanimous voice vote.

**Res 15-34:** A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies of the 2015 budget within the Parks General Fund. Mr. Hardaway made a motion to approve the resolution and was seconded by Mr. Spann. There was no discussion. The motion was approved by a unanimous voice vote.

**Res 15-35:** A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies of the 2015 budget within certain categories. Mrs. Barron made a motion to approve the resolution and was seconded by Mr. Spann. There was no discussion. The motion was approved by a unanimous voice vote.

**Res 15-37:** A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies of the 2015 budget within the Noxious Weeds Fund. Mrs. Barron made a motion to approve the resolution and was seconded by Mr. Spann. There was no discussion. The motion was approved by a unanimous voice vote.

**BZA ACTIONS:**

**Petitioner:** Rosilyn & Kelvin Hawthorne  
**Owner:** Rosilyn & Kelvin Hawthorne  
**Request:** Variance of use approval  
**Purpose:** For a kennel having four or more dogs where owner would like to keep 5-9 personal rescued dogs until placement of safe homes are found for 5 dogs.  
**Location:** 1142 West 53rd Court  
**Zoning:** R-2, Single Family Residential  
**Case #:** Z32uV9-0915

Mr. Hardaway made a motion to uphold the BZA recommended denial. The motion includes that the Petitioner has until October 31, 2015 to become compliant with the town ordinance. The denial motion was seconded by Mrs. Barron. There was discussion related to this matter. The motion carried by a 4-0 roll call vote.

**BZA ACTIONS:**

**Petitioner:** ITT Technical Institute  
**Owner:** Focus Centre Two, LLC  
**Request:** Variance of use approval  
**Purpose:** For temporary wind turbines for post secondary green energy education for electronic engineering classes.  
**Location:** 8488 Georgia Street  
**Zoning:** C-3, Highway Commercial  
**Case #:** Z33uV10-0915  
**Conditions:** For this petitioner only at this location only for this use only.

Mr. Hardaway made a motion to approve with the conditions and was seconded by Mrs. Barron. There was no discussion. The motion carried by a 4-0 roll call vote.

**Petitioner:** Capital City Family Education  
**Owner:** Matanky Realty  
**Request:** Special exception approval  
**Purpose:** For a large day care facility  
**Location:** 6049 Broadway  
**Zoning:** C-2, Community Commercial  
**Case #:** Z34E9-0915  
**Conditions:** For this petitioner only at this location only for this use only.

Mr. Spann made a motion to approve with the conditions and was seconded by Mr. Hardaway. There was no discussion. The motion carried by a 4-0 roll call vote.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**PUBLIC COMMENT:**

All public comment is recorded on an audio file and kept on file in the Clerk-Treasurer’s Office at Town Hall.

**ANNOUNCEMENTS:**

Abandoned Blighted Properties Committee meeting, October 14, 2015 at 11:00 a.m.  
Environmental Resource Committee meeting, October 15, 2015 at 2:00 p.m.  
Town Vehicle Auction, October 26, 2015 at 11:00 a.m. at Town Hall parking lot.  
Town Council meeting, October 27, 2015 at 6:30 p.m.  
TRICK OR TREATING, October 31, 2015 from 5:00-7:00 p.m.

**ADJOURNMENT:** A motion to adjourn was made.

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Shawn Pettit, Vice President

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Eugene Guernsey, Clerk-Treasurer